

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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REGINALD POWE and COLLEEN JONES,	:	
	:	
Plaintiff,	:	08-CV-1963 (JGK)
	:	
v.	:	ECF Case
	:	
CAMBIUM LEARNING, INC.,	:	
	:	
Defendant.	:	
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NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, the accompanying Declaration of Megan A. Burns, dated March 26, 2008, and the exhibits attached thereto, and all prior papers and proceedings had herein, Defendant Cambium Learning, Inc. will move this Court, before the Honorable John G. Koeltl, at a date and time to be set by the Court, for an order, pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Plaintiffs' Complaint for failure to state a claim and failure to plead fraud with sufficient particularity.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), answering papers, if any, must be served on the undersigned within ten business days after service of these moving papers.

Dated: New York, New York
March 26, 2008

GIBSON, DUNN & CRUTCHER LLP

By: s/ Marshall R. King
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